

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

PETER A. CHIEJINA, and
PICCOL NIGERIA LTD.,

Petitioners-Appellees,

v.

FEDERAL REPUBLIC OF NIGERIA,

Respondent-Appellant.

Case No. 22-7146

**NOT YET SCHEDULED
FOR ORAL ARGUMENT**

**JOINT NOTICE REGARDING SETTLEMENT AGREEMENT AND
MOTION FOR EXTENSION OF BRIEFING SCHEDULE**

Respondent-Appellant the Federal Republic of Nigeria and Petitioners-Appellees Peter A. Chiejina and PICCOL Nigeria Ltd., by and through undersigned counsel, hereby notify the Court that a settlement agreement between the parties has been reached in principle, and respectfully request that the Court extend the remaining briefing deadlines established in its January 11, 2023 Order, so as to allow for time to finalize the terms and obtain the requisite approvals. Accordingly, the parties request the following revised briefing schedule:

Appellant's Reply Brief

May 30, 2023
(30-day extension)

Deferred Appendix

June 5, 2023
(30-day extension)

Final Briefs

June 19, 2023
(30-day extension)

The reasons for this request are as follows:

1. On January 11, 2023, the parties jointly submitted a notice to this Court of the ongoing settlement negotiations and requesting an extension of the briefing schedule. The very same day, the Clerk of Court issued an Order granting this extension. In accordance with the new schedule, Appellant submitted its opening brief on February 10, 2023, and Appellees filed their response brief on March 31, 2023. No oral arguments have yet been scheduled.

2. The parties reached a settlement agreement in principle on April 12, 2023. The terms of the settlement have largely been determined. For it to become final, however, the agreement requires approval by the Nigerian government. This is achieved through a process of coordination across multiple offices and agencies. Accordingly, the parties seek to extend the remaining briefing schedule by 30 days in order for time for this process to take its course.

3. As this appeal raises important questions regarding the proper interpretation of the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1330, 1332, 1391(f), 1441(d), and 1602–12. These issues significantly affect Nigeria’s sovereign interests. Any brief filed by Nigeria must therefore go through appropriate governmental review and consultation. In light of the recent agreement, Nigeria

wishes to focus its efforts on settling the dispute amicably instead.

Dated: April 17, 2023

Respectfully submitted,

/s/ Theodore J. Folkman

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CERTIFICATE OF COMPLIANCE

1. This notice and motion complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) and D.C. Cir. R. 32(e)(1) because this motion contains 320 words, excluding the parts of the notice and motion exempted by Fed. R. App. P. 32(f).
2. This notice and motion complies with the typeface and type-style requirements of Fed. R. App. P. 27(d)(1)(E) because this motion has been prepared in a proportionally spaced typeface using Microsoft Word 2016 in 14-point Times New Roman font.

Dated: April 17, 2023

/s/ Tara M. Lee

Tara M. Lee (DC Bar No. 17902)

CERTIFICATION OF SERVICE

I hereby certify that on April 17, 2023, I caused the foregoing motion to be filed with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing to the following:

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